

MEMORANDUM

SUPREME COURT, SUFFOLK COUNTY

THE PEOPLE OF THE STATE OF NEW YORK,

- against -

THOMAS M. MOROUGHAN,

Defendant.

**SEALED**

District Ct. 2011SU007884  
HON. MARTIN I. EFMAN  
PART 3

**HON. THOMAS J. SPOTA**  
District Attorney, Suffolk County  
**By: ADA Anne E. Oh**  
Appeals Bureau  
200 Center Drive  
Riverhead, NY 11901

**ANTHONY M. GRANDINETTE, ESQ.**  
Attorney for Defendant  
114 Old Country Road  
Mineola, NY 11501

By Notice of Motion dated June 6, 2013, supporting Affirmation and exhibits, defendant moves, pursuant to CPL §190.25(4)(a), for disclosure of Grand Jury records. By June 27, 2013 Affirmation, the People represent that evidence in this matter was not presented to a Suffolk County Grand Jury but concede that certain documents exist that were obtained pursuant to a Grand Jury subpoena duces tecum. With respect to those documents, the People take no position on disclosure. After careful consideration, in the discretion of the Court, it is hereby

**ORDERED** that defendant's motion is granted to the limited extent that all documents that were obtained pursuant to a Grand Jury subpoena duces tecum be disclosed to defense counsel within fifteen days from the date of this Order; and it is further

**ORDERED** that defendant's application for all other materials referenced in the moving papers is denied on the basis that the request is overly broad and no showing has been made that same is related to a Grand Jury proceeding contemplated by Article 190 of the New York State Criminal Procedure Law.

Counsel are reminded that the Suffolk County District Court docket herein and all subsequent motion papers and decisions are sealed by Orders of the Court.

This memorandum shall constitute the Decision and Order of the Court.



HON. MARTIN I. EFMAN, J.S.C.

Dated: JUNE 28, 2013